

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GILBERTO AGUILAR-BELTRAN,

Defendant.

8:21-CR-223

**PRELIMINARY ORDER OF
FORFEITURE *NUNC PRO TUNC***

This matter comes on before the Court upon the Government's Motion for Preliminary Order of Forfeiture *Nunc Pro Tunc*. [Filing 103](#). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. On February 1, 2023, this Court entered a Preliminary Order of Forfeiture, forfeiting the \$6,640.00 in United States currency. Filing No. 102. The Government has now informed the Court that the correct amount to be forfeited to the government is \$6,580.00 in United States currency.
2. Omaha Police Department will place the three \$20.00 counterfeit bills into evidence.
3. The Government's Motion for a Preliminary Order of Forfeiture *Nunc Pro Tunc* should be granted. Accordingly,

IT IS ORDERED:

1. The Government's Motion for Preliminary Order of Forfeiture *Nunc Pro Tunc*, [Filing 103](#), is granted.

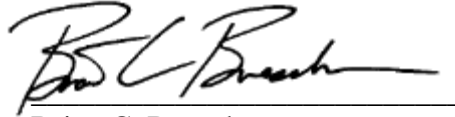
2. Defendant Aguilar-Beltran's interest in the \$6,580.00 in United States currency seized from 3015 South 38th Street, Omaha, Nebraska, on or about July 15, 2021, is forfeited to the United States;
3. Based on the Court's findings in its Memorandum and Order on Criminal Forfeiture, the Government is hereby authorized to seize the forfeited property;
4. Defendant Aguilar-Beltran's interest in the \$6,580.00 in United States currency is hereby forfeited to the Government for disposition in accordance with law, subject to the provisions of [21 U.S.C. § 853\(n\)\(1\)](#);
5. The forfeited property is to be held by the Government in its secure custody and control;
6. Pursuant to [21 U.S.C. § 853\(n\)\(1\)](#), the Government shall publish for at least thirty consecutive days on an official internet government forfeiture site, (www.forfeiture.gov), notice of the Preliminary Order of Forfeiture, notice of publication evidencing the government's intent to dispose of the property delineated above in such a manner as the Attorney General may direct, and notice that any person, other than defendant Aguilar-Beltran, having or claiming a legal interest in any of the forfeited property must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier;
7. The published notice shall state the Petition referred to in Paragraph 6, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the property delineated above, shall be signed by the Petitioner under penalty of perjury, and

shall set forth the nature and extent of the Petitioner's right, title, or interest in the property and any additional facts supporting the Petitioner's claim and the relief sought;

8. The Government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the currency as a substitute for published notice as to those persons so notified; and
9. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to [21 U.S.C. § 853\(n\)](#), in which all interests will be addressed.

Dated this 15th day of February, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Brian C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge